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SIPDIS

DEPT FOR NEA/FO, NEA/ELA
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USUN FOR KHALILZAD/WOLFF/SCHEDLBAUER
NSC FOR ABRAMS/SINGH/YERGER/MCDERMOTT

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TAGS: [PREL](#) [PGOV](#) [PHUM](#) [PINR](#) [AI](#) [UNSC](#) [SY](#) [LE](#)

SUBJECT: LEBANON: TIME IS RIGHT FOR ACTION ON DETAINEES IN SYRIA

REF: A. BEIRUT 1168

[1](#)B. BEIRUT 1139

Classified By: Charge d'Affaires a.i. William Grant for reasons 1.4 (b) and (d).

SUMMARY

[1](#)1. (C) Following Israel's July 16 release of Lebanese prisoners including Samir Kantar, the issue of Lebanese detainees (also referred to as "enforced disappearances") in Syria has risen to the forefront in Lebanon. President Sleiman told visiting MNF-I Commander General David Petraeus on August 6 that it is one of his three priorities for his August 13 meeting with Syrian President Bashar Asad, though he doubted there were many detainees still alive (Ref A). Ghazi Aad, head of the NGO known as "Support of Lebanese in Detention and Exile," believes that the time is right to resolve the issue of the 600 or more Lebanese citizens detained by the Syrians since the 1975-1990 civil war days, as a precursor to normalizing relations with Syria. In a July 21 visit to Beirut, Syrian Foreign Minister Walid Moallem was confronted by a sit-in organized by the detainees' families. Moallem further angered the families by his clumsy declaration to the media, "He who waited for more than thirty years can wait a few weeks."

[1](#)2. (C) According to Aad, Hizballah and Free Patriotic Movement leader Michel Aoun have been the most supportive Lebanese political figures in responding to his pleas for a resolution, with Aoun recently calling for a minister of state to take on the issue, but they have been unable to influence Syrian thinking to date. Aad noted that several Lebanese political figures are reticent to express support because they, too, are culpable for disappearances taking place during the civil war.

[1](#)3. (C) Independent MP and Aoun ally Ghassan Moukheiber succeeded in his efforts to include the detainee issue in the cabinet statement approved by the cabinet on August 4. Calling past attempts to resolve the issue failures, a lobbying group of detainees' family members is requesting an international inquiry commission, a DNA database, and a truth and reconciliation commission to resolve internal resistance to addressing the issue. Aad and Moukheiber suggested the U.S. elevate the issue by urging France, Qatar, and key political figures to raise the issue with Syria. The U.S. could also push for an international commission, as well as provide technical assistance and funding, they said. End

summary.

OVER 600 BELIEVED
TO BE DETAINED

14. (C) Following the July 16 release by Israel of Lebanese prisoners including Samir Kantar, the issue of Lebanese detainees in Syria has risen to the forefront in Lebanon. In an August 1 meeting with PolOff, Ghazi Aad, head of the NGO "Support of Lebanese in Detention and Exile" (Solide), estimated that there are over 600 Lebanese detained in Syria.

There could be more than 600, Aad suggested, because some cases have gone unreported due to fear, immigration, and deaths of family members. Aad made a distinction between Lebanese who committed criminal acts and are imprisoned in Syria and "enforced disappearances," people who were allegedly arrested by the Syrians and held without formal charges or on trumped up charges. He is afraid that Syria will release the real criminals and not the others and declare the file closed.

RELIGION ASIDE, DETAINEES
HELD PRIMARILY FOR
POLITICAL REASONS

15. (C) Aad explained that Syria passed an emergency law in 1963 which declared that anyone can be subjected to detention, and in 1976 started applying this law to persons in Lebanon. Aad alleged that Syria used this law

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politically, arresting Sunni Lebanese militia men allied with the Palestinian Liberation Organization (PLO) in 1976, Christian militia in 1978, and so forth -- ultimately detaining people of all confessions.

16. (C) According to Aad, many of these detainees were picked up by the Syrians operating in Lebanon, transported to Syria, and held in interrogation centers. Several family members of those missing reported that they used to visit the detainees in Syrian prisons but at some point the detainees were moved or the family members were prevented from visiting, and they subsequently lost track of their whereabouts. Further, the family members claim that in some instances the Syrian authorities revoked their access permits, and therefore they lack proof that they had ever made these trips to Syria.

SYRIAN, LEBANESE
GOVERNMENTS DENY
THERE IS A PROBLEM

17. (C) In the past, the Syrian government has refused to acknowledge the existence of Lebanese detainees. In 1990, the Lebanese government publicly denied that there were Lebanese citizens detained in Syria, and maintained this position until 2005, despite intense lobbying efforts by family groups.

18. (C) Despite its denials, Aad noted that Syria has publicly released Lebanese detainees on four occasions between 1976 and 2005, all for political reasons. For example, 54 Lebanese were released in 2000 as a show of support for then-President Emile Lahoud. Additionally, there have been secret releases, as recently as March 2008 when Milad Barakat was returned to Lebanon after 16 years of detention, the last seven of which his family had no information regarding his status.

UNSUCCESSFUL COMMITTEES

19. (C) Former PM Salim Hoss formed a ministerial committee in 1998 to investigate the situation and concluded that those

missing should be considered dead. The families rejected this decision, and in 2005 another committee headed by MP Fouad Saad was formed. After composing a list of 91 missing citizens, Saad traveled to Syria to present the list to the late Interior Minister Ghazi Kenaan and Lebanon's former Syrian intelligence head Rustom Ghazaleh, and reported afterwards they had promised to reply but he had never received an answer.

¶10. (C) A joint Lebanese-Syrian commission was established in 2005 under PM Najib Mikati, which Aad assessed has been unsuccessful. Aad explained that the Lebanese members have submitted names of missing individuals to their counterparts, only to receive denials that these people are in Syria, or falsified documents on their status.

FAMILIES LOBBY FOR RESULTS

¶11. (C) Prior to the Syrian withdrawal in 2005, some of the detainees' families began a sit-in, which continues today, in front of the UN ESCWA building in downtown Beirut. On July 21, coinciding with Syrian FM Walid Moallem's visit to Beirut, the families demonstrated at the Presidential Palace. They submitted a memo to President Sleiman calling for a resolution to the detainee issue. Aad subsequently met with President Sleiman, who informed him that he will refer this case to the government.

¶12. (C) In response to the July 21 protests, Moallem acknowledged the problem when he stated to the press, "He who waited for more than thirty years can wait a few weeks." Aad relayed that Moallem also said, "I should have brought Syrian families with me to protest." (Note: In what Aad dubbed a "tit for tat," Syria alleged in 2005 that there are 800 Syrians missing in Lebanon. End note.)

GAINING POLITICAL SUPPORT

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¶13. (C) On the same day, July 21, Free Patriotic Movement leader Michel Aoun publicly called for a minister of state to take on the detainee issue, which Aad said was in response to his prodding. Aoun also has called for the establishment of a DNA database, another Solide demand, to identify the remains of the missing Lebanese.

¶14. (C) Aad relayed that he also had approached Hizballah Secretary General Hassan Nasrallah, who reportedly agreed to raise the issue in Syria. Nasrallah responded to Aad that his Syrian interlocutors told him to hold off on this issue until diplomatic relations are being discussed. Aad concluded that the time is now right to address the detainee issue, but fears that Syria will dictate the terms in an unfair manner.

¶15. (C) Efforts to address the detainee issue in the ministerial statement to parliament (Ref B) proved successful, as the cabinet committed to resolve the issue "as soon as possible." The statement called for the disclosure of the fate of all of the missing detainees, and committed to working towards their release or the return of their bodies as part of normalizing relations with Syria, whether through the existing joint committee or through "various political and judicial means."

¶16. (C) Efforts by independent and Aoun ally MP Ghassan Moukheiber, who sits on the Parliamentary Committee on Human Rights, were instrumental in including the detainee issue in the statement. Moukheiber affirmed that Hizballah officially supported a resolution of the issue, though its hands were tied in terms of effecting change. He clarified that relations with Syria should not be contingent on resolution of the detainee issue, but that it was a fundamental part of

normal relations.

¶17. (C) Aad mentioned that he had urged the French to raise this issue with Syria, adding that the diplomats had agreed, but had refrained from making it a requirement for establishing diplomatic relations. (Note: PolOff will check with French diplomatic contacts in Beirut. End note.)

¶18. (C) Aad cautioned that not all political figures are willing to address the issue because they too are culpable for crimes committed and disappeared persons during the 1975-1990 civil war, citing Lebanese Forces leader Samir Geagea, Druze leader Walid Jumblatt, and Speaker Nabih Berri's Amal Movement in particular. He said that while they may publicly endorse resolving this issue, they will not take decisive action to achieve results out of embarrassment and for fear of facing reprisal.

HOW THE USG CAN HELP

¶19. (C) Noting that he had attempted to tack on the detainee issue to UNIIIC, the UN committee charged with investigating former PM Rafiq Hariri's assassination, Aad pressed for first, the establishment of an international inquiry commission to investigate the detainee issue. He said he believes the joint Lebanese-Syrian commission has been "worthless" during its three years of existence. Second, he is calling for the establishment of a DNA database to identify the remains of the missing individuals. Third, Aad stressed the importance of forming a truth and reconciliation commission, primarily to resolve the internal resistance to addressing the issue.

¶20. (C) Aad suggested the U.S. provide funding and technical assistance to form a DNA database. He expressed his hope that the U.S. could push to expand UNIIIC's mandate to include the detainee issue, or alternatively, to press for the establishment of a new international commission. Recognizing that U.S.-Syrian relations are sensitive, Aad wondered if the U.S. could encourage the French and the Qataris to prod Syria into addressing the issue.

¶21. (C) Aad also suggested that the U.S. influence Lebanese political figures to open up to a solution. He also proposed

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a Congressional resolution passed by Congress which would raise the profile of the issue.

¶22. (C) Echoing all of Aad's suggestions, MP Moukheiber added that the U.S. could provide visible support to American NGOs and international organizations working on the issue, including Amnesty International and the International Center for Transitional Justice. He also inquired whether U.S. intelligence could provide information on the missing individuals.

¶23. (C) Moukheiber also said President Sleiman may play a pivotal role in pressuring Syria to address the issue. Sleiman told visiting General David Petraeus on August 6 that the detainee issue was one of his three priorities for his August 13 meeting with Syrian President Bashar Asad, though he doubted there were many detainees still alive (Ref A). Aad expressed his fear that Syria will intentionally misinterpret "detainee," and agree to move Lebanese jailed in Syria for genuine crimes to Lebanese prisons.

COMMENT

¶24. (C) Both Aad and Moukheiber, who have worked on this issue since 1990, believe the time is right to push this issue, in part because Hizballah has been working to close its detainee file with Israel, but more importantly, because Lebanon appears to be on the brink of establishing relations

with Syria. Neither one believes that relations should depend upon a resolution of the issue, but that Lebanon should capitalize on Syrian outreach to Lebanon to raise the stakes of normal relations. End comment.

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